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ABSTRACT

On May 12, 1972, the University of Delaware Chapter of the American Association of University Professors was elected as the exclusive bargaining agent for all regular members of the voting faculty. There had been no threats of a cutback in faculty positions by the administration. No bills had been introduced in the state legislature to eliminate tenure, increase workloads, or curtail fiscal autonomy of the university. Undoubtedly, the professors had been affected by news of these occurrences at other institutions. The deteriorating conditions of the academic job market presented an even more direct threat to these professors. By May 1972, many of the faculty had begun to realize that they no longer had the mobility, bargaining power, or job security that was formerly taken for granted. Individious comparison with unionized workers in the public sector, especially secondary school and junior college teachers, could have been one of the other factors that motivated the professors to unionize. This article examines the certification campaign and attempts to explain exactly what factors motivated the professors to make a break with tradition. (Author/PG)

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SPECIAL REPORT #13

February 1975

THE UNIONIZATION OF PROFESSORS AT THE UNIVERSITY OF DELAWARE

by

Robert L. Sawicki
Former Student at University of Delaware

The Academic Collective Bargaining Information Service has already reported three campuses (Michigan State University, Albion College, and New York University) where faculties, through the elective process, decided not to use formal collective bargaining as a means of determining salaries and other conditions of employment. Robert Sawicki now provides a detailed analysis of a faculty election that resulted in a choice to utilize collective bargaining processes. His description of the certification campaign is a fascinating story of the thoughts, conditions and events leading to faculty unionization.

George W. Angell
Director

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THE UNIONIZATION OF PROFESSORS AT THE UNIVERSITY OF DELAWARE

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Robert L. Savicki

INTRODUCTION

On May 12, 1972, the University of Delaware Chapter of the American Association of University Professors was elected as the exclusive bargaining agent for all "regular members of the voting faculty."[1] There had been no threats of a cutback in faculty positions by the administration. No bills had been introduced in the State Legislature to eliminate tenure, increase workloads or curtail the fiscal autonomy that the University had always maintained. Undoubtedly, the professors had been affected by news of these occurances at other institutions as well as news of postponed pay increases and the introduction of techniques designed to increase "educational productivity" at other schools. The deteriorating conditions of the academic job market presented an even more direct threat to these professors. By May 1972, many of the faculty had begun to realize that they no longer had the mobility, bargaining power or job security that was formerly taken for granted. Invidious comparison with unionized workers in the public sector, especially secondary school and junior college teachers, could have been one of the other factors that motivated the professors to unionize. This article examines the certification campaign and attempts to explain exactly what factors motivated the professors to make a break with tradition.

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THE CERTIFICATION CAMPAIGN

At the beginning of the ten-month certification campaign there were campus representatives of the National Education Association, the American Federation of Teachers and the AAUP involved. On March 23, 1972, the local affiliate of the NEA withdrew from the contest. In their statement, this group pointed out a significant feature of the State Labor Code, which in their opinion, made it impossible for one of the collective bargaining agents to receive certification if two or three of them competed in an election. The feature of the Code to which they were referring was the lack of a provision for a runoff election in the event that none of the alternatives receives the absolute majority.

Although the proposals and tactics of the AAUP and AFT were to differ substantially, their proposals on salaries and grievance procedures were quite similar. They both called for a large catch-up increase. Both organizations proposed cost of living and merit increases which would be in addition to the catch up increase. A grievance system that culminated in binding arbitration was an issue of common agreement, although the AFT was more explicit in its description of this system and tended to put more emphasis on it in its literature.

According to AAUP literature, decisions regarding promotion and tenure should be dealt with primarily by one's colleagues. The AFT spokesman made claims that tenure should follow the completion of a two-year probationary period.

Both groups called attention to the increasing student-faculty ratio and to the desirability of decreasing it. They both reacted negatively to the President of the University's statement on the increasing "faculty productivity" at the University. The AFT, however, called specifically for an immediate increase of twenty percent in number of faculty positions. They also called for a schedule to increase the number of faculty in order to reduce the student-faculty ratio to the 1965 level.

The AFT campaigned on promises of material and lobbying power from the state and national bodies with which it was affiliated. AFT President David Seldon claimed that his organization was the only one with the staff, experience and resources necessary to bargain a good contract.[2] The AFT made a point throughout the campaign of pointing out the weaknesses of the national AAUP with regard to financial resources, personnel, organization, lobbying power and growth in membership.

The AAUP introduced statements on collective bargaining and professionalism, while the AFT virtually ignored the issue.[3] The AAUP claimed that it would advance professionalism by promoting self-government, i.e., protecting faculty from the arbitrary actions of the State Legislature and the administration and strengthening the faculty senate. The AAUP supported the regulation of entry into the the profession through its support of the procedure of leaving

the ultimate decisions on promotion and tenure up to departmental committees. The AAUP claimed that faculty had already lost the professional characteristic of bargaining for salaries as individuals.

The two organizations differed substantially on the issue of governance. The AFT claimed that this issue was outside the scope of collective bargaining. The AFT's goal was an economically secure faculty. Matters of governance were to be left in the hands of the faculty senate and the administration.

The AAUP issued statements which pointed out the weaknesses of existing faculty governance bodies and proposed methods to strengthen these bodies and increase faculty control in general. The AAUP wanted to negotiate "formal powers of consultation with the administration and Board of Trustees concerning the budget, priorities, planning and policy making."[4] The AAUP also proposed that department chairmen be chosen by faculty members subject to administration consent. It was also recommended that appointments of deans and major administrative officers be subject to faculty committees selected by the appropriate faculty governance bodies in possession of the powers of advice and consent. The seating of faculty senate-appointed professors on the committees of the Board of Trustees was another goal of the AAUP.[5]

The AFT devoted considerably more financial resources and personnel to the certification campaign than did the AAUP. According to one source, the AFT spent $30,000 and the AAUP $3,000. The AAUP used no professional organizers on campus. The AFT began to use one professional organizer three weeks before the election. This number grew to nine by the week before the election.[6]

The administration also distributed literature to the faculty which was concerned with the certification election. President Trabant issued a letter to the faculty on March 24, 1972, which was based on "first-hand reports on what has happened on other campuses where unionization has occurred." He claimed that the collective bargaining process eroded "the power and effectiveness of faculty senates and committees" and "focused policy-making in the central administration." He implied that only those participating in the negotiations would obtain an increased sense of participation through collective bargaining. A point was made on the inflexibility in management which had occurred at unionized colleges. He also urged that collective bargaining could not guarantee higher salaries, especially in schools which depended heavily upon state legislatures for funds.

In his April 28, 1972 letter to the faculty, Trabant acknowledged his personal distaste for the adversary relationships created by unionization. He cited the occurrences of strikes at unionized schools (St. John's and Oakland, Michigan). He also hinted that "unionization might undo recent movements toward budget decentralization."

Nine documents with the heading "Do You Know" were distributed

by the administration between March 29 and May 9, 1972. These documents presented statistics and quoted from periodicals and National Labor Relations Board decisions in order to dissuade the faculty from voting for one of the unions. There were many statistics describing the salary increases which had occurred at the University over the past fourteen years. Many of the statistics attempted to show the comparative advantages that the faculty at the University had with regard to salaries and fringe benefits. One communication pointed out the special opportunities and incentives for faculty scholarship that were available at Delaware.

Some of the communications were quite adversary in tone. They emphasized that the unions could not guarantee that anything they promised would be provided in any agreement until it was negotiated. Mention was made of the constraints on the University because of its dependence on State apporpriations. One of the communications said that an employer "is not obligated to negotiate on the allocation of resources, university planning and priorities, appointment of deans and department and other administrators or on policy matters or the appointment of faculty members to committees of the Board of Trustees."[7] This communication included a warning that it may be illegal for the University to have faculty members on committees with the power to make decisions.[8]

The final "Do You Know" newsletter contains a statement which illustrates the adversary nature of these documents: "In many instances a considerable part of the costs of new faculty union contracts had been met by adjustments in working conditions - reducing the number of classes offered and increasing class size."[9]

INTERVIEWS WITH UNION AND MANAGEMENT

S. B. Woo, Associate Professor of Physics and the President of the local AAUP chapter during the certification campaign, outlined the causes of unionization in a Wilmington Evening Journal article.[10] Woo claimed there was a serious conflict between faculty members who were seeking a greater degree of participation in the governance of the University and the administration which maintained some of the autocratic tendencies of a past president. A "lack of communication and trust between faculty and administration"[11] developed out of this conflict. The unionization was an attempt to bring about a more favorable balance of power between faculty and administration and give the faculty some input into the future direction of the University.

Another factor was a negative reaction from professors to attempts by administrators to increase productivity and introduce publicity-catching innovations of little perceived educational value. Many professors thought that the Board of Trustees had acted unwisely "by entrusting the responsibility for university operations to a rapidly growing class of professional managers with meager scholarly credentials rather than to proven scholars willing to assume administrative responsibility."[12] The professors saw collective bargaining as a way to change the University's

priorities and direct resources toward endeavors of greater academic value.

The professors turned to collective bargaining because of the ineffectiveness of the faculty senate. The senate had been ignored or supplanted by the administration and/or Board of Trustees. Also, many of the important functions of the senate had been replaced by administrative councils. Woo cites the active participation of the only two past presidents of the senate in the AAUP bargaining team as an indication of the "disenchantment of the faculty with the administration's disregard for the senate."[13]

One of the other reasons why professors turned to collective action was to reverse their deteriorating economic position. Woo pointed out that salaries had not been able to keep pace with those at competitive, neighboring state universities and were just barely able to keep pace with increases in the cost of living.

Woo, however, emphasized in an interview that the salary issue was not the primary explanation for the AAUP's success.[14] He said that the "seeming stagnation" of the University and the "lack of concern to become a first-rate university" were stronger forces at the time of the certification than the deteriorating economic position of the professors.

Dr. Frank Dilley, Associate Provost for Instruction, gives us an explanation of the union initiatives from a management perspective.[15] Dilley indicated that the faculty maintained a perception of the administration which was based on the attitudes and actions of the administration under the past University president. He added that "some faculty were unable to see that Trabant is quite different." He pointed out that the former Provost's proposal to divide the College of Arts and Science might have created dissonance. The administration-initiated community design commission was perceived by many professors to be an "attack on the notion that only faculty know how to teach." The community design commission also created tension because it emphasized "self development of students as well as advancement of disciplines." Dilley also implied that the faculty falsely perceived that "increased pressures from the legislature would end in lower quality of education."

The AAUP attempted to convince the faculty that collective bargaining at the University would not follow the industrial model under their leadership. Dilley agreed that they were successful in doing that. The AFT tended to be perceived as following the industrial example. He hypothesized that "part of the vote for the AAUP was an effort to stop the AFT" and, therefore, prevent the industrial model from being adopted at the University.

Dilley thought that the administration's behavior during the certification campaign was a "decisive factor" in determining the eventual outcome. He described the administration's campaign as being in the "management style." He claimed that the administration's attempts were "not done in the best way to promote

the rational discussion of ideas."

William D. Jones, Vice President for Employee Relations, said that the faculty might have voted for a collective bargaining agent because the "faculty senate didn't move fast enough for the faculty at a time when there was a great deal of concern for organization."[16] He claimed that the AAUP was delving into "management rights" with its proposals to change the University's governance structure. He questioned the legality of these types of proposals under current labor laws, but indicated that many faculty members had voted for the AAUP in hopes that a "better" governance structure would evolve.

INTERVIEWS WITH FACULTY MEMBERS

The purpose of the questionnaires and the oral interviews given in the fall of 1973 was to find out the opinions and attitudes of the faculty in the spring of 1972.[17] I submit these results with the qualification that they may be influenced by perceptions which have occurred since the spring of 1972.

According to the questionnaire, salary was the most important collective bargaining issue prior to the certification election of May 1972. This issue received the largest percentage of votes in the A category and the highest point value of all the issues. This traditional result does not support the contentions by AAUP spokesmen that salaries were not the primary concern of the faculty.

The concern that faculty showed for some of the governance issues and academic quality issues does not indicate that the AAUP accurately perceived some of the faculty's goals. For instance, improving the academic quality of the University ran a close second to salaries with 68 percent of those filling out the questionnaire putting it in the A category compared to 70 percent for salaries. Academic freedom did equally well on the A category ranking, while it received the third largest point value. Involvement in the University policymaking and concern about a lack of communication and trust were tied for third place in the A category ranking.

QUESTIONNAIRE DIRECTIONS

By placing A, B, or C by the following collective bargaining issues, please indicate the issues that were most important to you prior to the union certification election of May 1972. Those issues placed in the A category would have been the most important, those in the B category would have been of intermediate importance, and those in the C category would have been of least importance.

RESULTS

	A	B	C	NO ANSWER	POINT VALUE*
1. Binding Arbitration of Disputes	14%(6)	41%(18)	43%(19)	2%(1)	73
2. Grievance Procedure	36%(16)	32%(14)	32%(14)		88
3. Graduate Assistantships	7%(3)	16%(7)	77%(34)		57
4. Appointment of Administrators	10%(4)	41%(18)	49%(22)		70
5. Reduced Teaching Loads	25%(11)	27%(12)	48%(21)		78
6. Involvement in University Policymaking	57%(25)	27%(12)	16%(7)		106
7. Money for Professional Meetings	7%(3)	16%(7)	77%(34)		57
8. Curriculum	34%(15)	34%(15)	27%(12)	5%(2)	87
9. Promotion Policy	52%(23)	30%(13)	18%(8)		103
10. Research Funds	11%(5)	45%(20)	44%(19)		74
11. Job Security & Tenure	52%(23)	34%(15)	14%(6)	2%(1)	105
12. Facilities: Buildings, Labs, etc.	7%(3)	16%(7)	75%(33)		56
13. Academic Freedom	68%(30)	18%(8)	14%(6)		112
14. Salaries	70%(31)	23%(10)	7%(3)		116
15. Benefits:Medical Disability and Health Insurance	32%(14)	36%(16)	32%(14)		88
16. Improving Academic Quality of the University	68%(30)	28%(12)	2%(1)	2%(1)	115
17. Concern About a Lack of Trust & Communication Between Faculty & Administrators	57%(25)	23%(10)	20%(9)		104
18. More Effective Use of University's Resources	34%(15)	46%(20)	20%(9)		94
19. Rate of Growth of the University	20%(9)	25%(11)	55%(24)		73

*Point Value = 3(no. in A) + 2(no. in B) + 1(no. in C)

The results substantiate that the AAUP leadership had a better understanding of the concerns of the faculty than did the AFT. The high rankings of the governance items (6, 17, 18) and the relatively low rankings of some of the issues which the AFT stressed, i.e., reduced teaching loads and binding arbitrations, are observations supporting this contention. The high rankings of the academic quality issues (12, 16) also back up this contention.

These results indicate, however, that the AAUP leadership might have underestimated the concern about salaries, job security and tenure. They also overestimated the faculty's desires for involvement in governance as illustrated by the low rankings of appointment of administrators.

The second question in the oral review was "What were your primary reasons for voting the way you did?"[18] The most frequent reason given was that the faculty needed a vehicle to promote and protect their interests. Answers that were given that fall into this category include, "The faculty needs more muscle." A few professors stated that, "The union would be a means of communication with the administration." A few saw the faculty senate as being ineffective and turned to collective bargaining for this reason. The union was seen by many as a way to achieve a more favorable balance of power with the administration.

There were also several anti-administration statements which would fall into the category described above. Many faculty members stated that they needed a new organization to represent their interests because they had a "lack of any faitn in the administration." The "administration acted without consultation," or "didn't take the faculty seriously." A few explained that they hoped the union would be a means of protecting the faculty from the "administration's interference in their affairs."

The second most frequent response was that they voted for the AAUP because of their negative feelings toward the AFT. The AFT was cited as being "unprofessional," "emotional," "too militant," "detrimental," and "geared to secondary school teachers." Two professors complained about a "lack of credibility exhibited by AFT spokesmen." Several people were opposed to the "trade union tactics" and/or the organization's association with the AFL-CIO.

Salaries were relatively infrequently mentioned as one of the primary reasons for voting for the union. In fact, both anti-AFT responses and desires for more input were given more than twice as frequently as salaries. Many people, however, assumed that faculty would be able to affect salaries once they were able to establish a more favorable balance of power with the administration.

About thirteen percent of the AAUP supporters said they voted the way they did primarily because the AAUP was the only "organization with a chance to win." A few said that the AAUP was

"the lesser of two evils." Approximately ten percent of the AAUP supporters answered by saying that the AAUP was "professionally appropriate ." The quality of the AAUP's leadership, the longstanding reputation, and the perception that the organization was concerned with academic quality were also given as reasons for choosing AAUP.

Most of the people who voted for the AFT mentioned the abundant experience and financial resources available to the organization as compared to the AAUP's meager endowments in that regard. They usually made statements such as, "I wanted a collective bargaining agent, not a professional association to represent me."

The most frequent reason given by the people who didn't vote or who voted "no agent" was that they "didn't feel the need for a labor union." Sixteen percent of the professors in this category commented that unions were "unprofessional." Just as many were "philosophically opposed to unions." One cogent comment was that the "duties of teaching, research and advancing in one's field would not be served by union bickering." Opposition to the adversary relationship was frequently expressed. The point was also brought up "that it would be impossible for the administration to reward excellence."

Questions three and four were: "What opinions had you developed about the AAUP and the AFT by election day?" "What were your impressions of the tactics and viewpoints of each union and the administration during the campaign for certification?"

The AFT had a credibility problem. Many professors commented that the AAUP was more open and objective. The leadership of the AFT was also noted more than once as being composed of "no established, credible people on campus."

The most frequent response extracted about the AAUP was that its conduct was "more reasonable" or "less distasteful." The next most frequent comment was that the AAUP exhibited "a professional image." A response which occurred as often as this one was that the AAUP was interested in academics.

The AAUP leadership was frequently mentioned as being composed of "established, respected people on campus." This organization was also recognized as being "well organized on the precinct level." There was one reaction which tends to overshadow the respect that the organization generated. Approximately fourteen percent of the people surveyed thought that the AAUP would be "ineffective" or "less effectual" as a bargaining agent.

The most frequently obtained response on the administration's reaction to the unionization was that the administration "antagonized many faculty enough to make them vote for the AAUP." Approximately eight percent of those surveyed said that the administration was either "dishonest" or "innacurate." Two professors claimed that the administration's reaction "bordered on an unfair labor practice." Five professors said or insinuated

that "the administration treated the faculty as children who didn't have other sources of knowledge." To some faculty, "the administration acted as if no problems existed except for a few radicals." Another comment was that the administration "attempted to show how well off the faculty at this school were compared to other schools...while avoiding any discussion of the problems that were obvious here." There was a total of three positive or indifferent comments out of forty-eight.

Question five was another attempt to find out exactly why the unionization attempt was successful. The question was, "How do you explain the poor showing of the no union option on the ballot?" Many of the answers given were the same as the ones for question two. However, some answers occurred with much greater frequency and some new insights were provided.

The answer given more than any other was that the outcome was a "vote of no confidence in the administration." Some people responded with the remark that "the administration had been for too long unresponsive to faculty opinions and desires." There were many comments on the lack of faculty input and perceived arbitrary behavior of the administration as was the case for question two.

The second most frequent category of responses concerned dissatisfaction with salaries. The unionization was also cited as being a reaction to decreased mobility as a result of developments in the academic job market. A relatively frequent comment was that the poor showing of the no union option could be partially explained as being the result of "assistant professors who were concerned about job security," and who "weren't making a decent living."

Dissatisfaction with salaries was not the only explanation which appeared more often than in question two. More professors commented on the ineffectiveness of the faculty senate in answering this question than for question two.

One of the reasons frequently given for the lack of unions in academia was that professors felt that they could bargain more effectively for salaries and benefits as individuals. Question six attempted to see if this attitude was prevalent at the University by asking, "Do you think that professors are coming to the realization that they can no longer bargain more effectively for salaries and benefits as individuals?" Seventy-seven percent of the people answered affirmatively to this question. Thirteen percent were unsure or did not reply. The result could be explained by the development of a buyers' market for academics in recent years. In any event the result makes the union victory seem less baffling according to traditional reasoning on this matter.

It has also been theorized that college professors have avoided unions because they deplore the adversary relationship which might develop. Question seven tests this hypothesis by asking the following, "Do you think that professors no longer

deplore the idea of an adversary relationship between faculty and administration?"

Fifty-two percent of the professors interviewed gave an affirmative answer. Only fifty-one percent of the AAUP supporters gave a yes answer. This supports the contention that one of the reasons why the AAUP won was because it was able to portray itself as a nonadversary union.

"What made the faculty give up their traditional views of themselves as professionals who did not need to associate with labor unions?" Many of the comments received for this question were the same as for question two and five. However, dissatisfaction with salaries was given more than twice as frequently as in question two. One explanation of this result could be that those who didn't support either union perceived the union supporters to be primarily concerned about salaries. Results for questions five and eight included speculations about the reasoning of union supporters by non-union supporters, whereas question two didn't include such speculations.

The response that the interviewer received the most was that "a vote for the AAUP was not associating with a labor union." Almost all of the people responding this way added that the professors still maintained a view of themselves as professionals. About one-quarter of the AAUP supporters gave this somewhat contradictory answer.

Another frequent response was that to carry out professional responsibilities the faculty needed more clout. Some professors thought that they were being treated as employees, not professionals. The results support the contention that the AAUP received the support that it did because of its emphasis on professionalism and academic quality.

The results from question nine in the interview support the contention that many of the faculty were not seeking unionism in the industrial model despite their election of a collective bargaining agent. The question was stated as follows: "Did you fear that a collective bargaining relationship at the University would follow the industrial pattern of collective bargaining?" About sixty-three percent answered affirmatively, twenty-seven percent answered negatively, and four percent didn't answer. Six percent said that they assumed that the AAUP would win and, therefore, were not fearful of the collective bargaining relationship following the industrial model.

CONCLUSION

Although there was substantial dissatisfaction with salaries and a common belief that some kind of collective action would be needed to bargain for increases effectively, these factors were not strong enough in themselves to precipitate a union victory. Job security was a widespread concern and many faculty

were realizing their loss of mobility. The addition of these factors did not create enough intense pressure to result in a union victory either.

If the faculty's perceptions of the administration had been different, the unionization attempt would have failed. The faculty simply did not think that they were being given enough of a voice in the operation of the University. They perceived the administration as being arbitrary and acting without the consultation of the faculty. The administration's anti-union campaign precipitated the union victory because of its antagonizing tactics.

For most of the faculty, the decision of whether or not to vote for union was a difficult choice. Many of the professors still considered themselves professionals. Many were opposed to an adversary relationship. The AAUP was a more desirable alternative because it was professional, non-adversary, academic and unlike the "classic union model." The AAUP proposals for a change in the governance structure seemed more desirable than no change at all.

NOTES

[1]AAUP received 56 percent of the vote, AFT. 21 percent, and the no agent option, 23 percent.

[2]"Statement on the University of Delaware by President David Seldon," letter to faculty, May 2, 1972.

[3]"Collective Bargaining and Professionalism," Special Newsletter No. 2, AAUP.

[4]"Collective Bargaining Program: Part 3," AAUP - University of Delaware Chapter, p.2.

[5]Ibid.

[6]Interview with Professor S. B. Woo, October 8, 1973.

[7]"Do You Know," C. T. Butler, April 21, 1972.

[8]Ibid.

[9]"Do You Know," President's Advisory Committee on Labor Relations, May 9, 1972.

[10]"Faculty Goal: Make University First-Rate," Evening Journal, (Wilmington, Delaware), April 24, 1973, p.23.

[11]Ibid.

[12]Ibid.

[13]Ibid.

[14]Interview with S. B. Woo, October 8, 1973.

[15]Interview with Frank Dilley, October 18, 1973.

[16]Interview with William D. Jones, October 27, 1973.

[17]The survey was of 49 professors who were eligible for voting in the certification election and who were on campus in the spring of 1972. The professors were selected randomly through the use of a random number table. The percentage of faculty in the survey from each college and division is approximately the same as the actual percentage in the spring of 1972.

[18]The first question in the oral interview was "How did you vote in the union certification election of May 1972?"